

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 372 – SB 558

March 12, 2017

SUMMARY OF ORIGINAL BILL: Enacts the *Tom Cronan Physical Education Act*, which requires each student in elementary school to participate in a physical education class (P.E.) at least twice a week. Each P.E. class shall be taught by a licensed teacher that has a P.E. endorsement or by a P.E. specialist. Prohibits students from being exempted from a P.E. class unless they have a written note from a physician. Requires each local education agency (LEA) to annually verify that it has met the requirements of this act. The effective date of the bill is July 1, 2018.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures - \$253,600/FY18-19 and Subsequent Years*

SUMMARY OF AMENDMENT (004654): Deletes and rewrites the bill such that the only substantive change is to include language requiring LEAs to provide students with disabilities the appropriate accommodations in physical education classes as prescribed by Individuals with Disabilities Education Act, compiled in 20 U.S.C. § 1400 et seq., Section 504 of the Rehabilitation Act compiled in 29 U.S.C § 701 et seq., or the student's Individualized Education Program (IEP).

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the corrected fiscal note.

Assumptions for the bill as amended:

- No change in the Basic Education Program (BEP) funding formula.
- Most LEAs are already meeting the requirements of the legislation or will be able to restructure their class schedules or make other changes to accommodate the requirements of this legislation without an increase in local expenditures.
- All expenditures will be borne by local governments beginning in FY18-19.

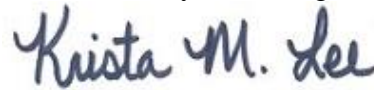
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- Based on information from the Department of Education (DOE), local education agencies in Dyer, Hardeman, and Carter counties do not currently have qualified P.E. teachers on staff.
- Based on information from DOE, the average salary and benefits of a full-time P.E. teacher is \$48,265 and the average salary and benefits for a part-time P.E. teacher is \$30,273.
- Dyer County will require four additional full-time P.E. teachers while Hardeman and Carter counties will each need one part-time P.E. teacher at a salary and benefit level of \$30,273.
- The mandatory recurring increase in local expenditures beginning in FY18-19 is estimated to be \$253,606 $[(\$48,265 \times 4) + (\$30,273 \times 2)]$.
- LEAs are currently required to comply with the requisite federal law as well as a student's IEP. As a result, there is no fiscal impact to state and local government resulting from the additional requirement to provide students with disabilities the appropriate accommodations.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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